



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, FEBRUARY 28, 2002

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, February 28, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION: Melvin Manor, Pastor, St. Paul Baptist Church.

Mayor Garcia called the meeting to order at 12:29 p.m.

Mayor Garcia recessed the meeting at 12:31p.m. to go into Executive Session.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

1. Discuss legal issues related to *Hyde Park Baptist Church v. City of Austin*, No. A-01-CV-212-JRN, in the United States District Court for the Western District of Texas.
This item was not discussed.
2. Discuss legal issues related to *Longhorn Partners Pipeline, L.P. v. City of Austin, et. al*, No. A-02-CA-001-SS and *Ethel Spiller, et. al v. Longhorn Partners Pipeline, L.P., et. al.*, Case No. A 98 CA255 SS, in the United States District Court for the Western District of Texas, Austin Division, and other legal issues related to hazardous pipelines.
3. Discuss legal issues related to proposed Charter amendments about Police Monitor and police personnel records.
This item was not discussed.
4. Discuss legal issues relating to House Bill 1445 agreements with counties regarding subdivision regulations in the ETJ.

Mayor Garcia announced item #20 would also be discussed during Executive Session.

Executive Session ended at 1:48 p.m.

Mayor Garcia called the meeting back to order at 1:53 p.m.

CITIZEN COMMUNICATIONS

5. Gus Pena - Mayor & Council inform the Community about possible projected cuts and have a public hearing to allow citizen participation to voice concerns, etc. 2. Do not cut any basic services that help the senior citizens and the children and youth. 3. Do not make any cuts that will adversely impact the community.
6. John E. Gross - Use unaccepted right of way on Thomas St.. by City of Austin
7. Jennifer L. Gale - Jennifer "U.S. Congress" Gale advocating 32-mayor be put on the May 4th ballot as well as 10-1 or 10-1 city manager as an alternative.
8. Gavino Fernandez - Vote for Marcos DeLeon Democratic Candidate for State Representative Dist. 51 on March 2, 2002 at Parque Zaragosa 2:00 PM
9. Jose Quintero - Support Marcos DeLeon State Rep. District 51 - **ABSENT**
10. Marcos DeLeon - Voter Turn Out in the Mexican/American Community
11. Paul Hernandez - Vote for Marcos DeLeon
12. Akwasi Evan – Reparations

BOND SALES

13. Approve an ordinance authorizing the issuance of approximately \$74,750,000 City of Austin, Texas, Electric System Revenue Refunding Bonds, Series 2002, including approval and authorization of all related documents pertaining thereto. (The amount of \$791,858 estimated in the first year debt service requirement and \$600 annual fee for the paying agent/registrar was included in the 2001-2002 Approved Budget of the Utility Revenue Bond Redemption Fund.) (Related Item No. 14)
Ordinance No. 020228-13 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.
14. Amend Ordinance ~~090910-01~~ (**corrected version 010910-01**), the Approved 2001-2002 Debt Management Fund Budget for the Electric Utility Department by increasing expenditures \$2,200,000 for the defeasance of certain outstanding Combined Utility System Revenue Bonds. Decrease the ending balance by \$2,200,000. (Approximately \$2,200,000 from the Electric Utility Department Debt Management Fund) (Related Item No. 13)
Ordinance No. 020228-14 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

12. Approval of minutes from worksession of February 13, 2002 and regular meeting of February 14, 2002.
The minutes from the Work Session of February 13, 2002 and the regular meeting of February 14, 2002 were approved.

Items 15 through 17 were pulled for discussion.

18. Approve an ordinance authorizing execution of a three-year, low-interest loan agreement in the amount of \$3,358,000 from the State Energy Conservation Office of the State Comptroller of Public Accounts, for the conversion of traffic signal lights from incandescent lamps to new energy efficient LED (light emitting diode) lamps in the City of Austin; and amend Ordinance Number 010910-01, the 2001-2002 Amended Operating Budget for the Electric Utility

Department, by increasing cash revenue by \$3,358,000 from loan proceeds from the Texas State LoanSTAR Program and increasing expenditures for Energy Conservation in the amount of \$3,358,000. Based on the existing electric rates for traffic signals, the annual cost savings of this LED conversion project are estimated to be \$1,686,000 per year to the City of Austin. In addition, the total electrical peak demand reduction to the City is estimated to be 1,011 kilowatts. (Funding in the amount of \$868,000 is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department. \$3,358,000 is loan proceeds from the Texas State LoanSTAR Program.) (Recommended by Resource Management Commission)

Ordinance No. 020228-18 was approved.

19. Approve an ordinance amending Chapter 16 of the City Code relating to the regulation of parking in City owned or controlled parking lots.

Ordinance No. 020228-19 was approved.

Item 20 was pulled for discussion.

21. Adopt an ordinance to establish classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 010910-07. (Funding in the amount of \$214,141 is included in the amended Fire Department Operating Budget.)

This item was postponed to March 21, 2002.

22. Amend Ordinance No. 010910-01, the Fiscal Year 2001-2002 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development (NHCD) Office by appropriating an additional \$600,000 of program income 27th year Community Development Block Grant (CDBG). This action will increase the CDBG budget authority from \$9,421,500 to \$10,021,500. (Funding in the amount of \$600,000 will be available from program income to be generated by the Urban Renewal Agency and receipted to the City.) (Related Item Nos. 23-27).

Ordinance No. 020228-22 was approved.

23. Approve a resolution authorizing the negotiation and execution of one or more forgivable loans to the Austin Revitalization Authority (ARA), in a total amount not to exceed \$600,000 to assist the ARA with the purchase of up to seven parcels within the East 11th Street Commercial Corridor from the Urban Renewal Agency for its Phase II office/retail center development. (The amount of \$600,000 in CDBG program income to be generated by the Urban Renewal Agency and receipted to the City.) (Related Item Nos. 22 and 24-27)

Resolution No. 020228-23 was approved.

24. Approve a resolution authorizing negotiation and execution of a cost reimbursement agreement with Austin Revitalization Authority, Inc., a Texas non-profit corporation for construction of civil facilities related to the installation of underground electric lines and streetlight installation within and near the East 11th Street Redevelopment, located between East 11th Street, Juniper Street, I.H. 35 and Navasota Street, with City cost reimbursement in an amount not to exceed Funding in the amount of \$437,489 is available in the 2001-2002 Approved Capital Budget of the Electric Utility Department. (Related Item Nos. 22, 23 and 25-27)

Resolution No. 020228-24 was approved.

25. Amend Ordinance No. 000912-2, the 2001-2002 Capital Budget to increase appropriations to the Water and Wastewater Utility Department by \$231,764.80 for the East 11th Street Redevelopment water project account and \$68,235.20 for the East 11th Street Redevelopment wastewater project account, for a total of \$300,000 for a total not to exceed amount of \$1,104,000. (Funding in the amount of \$300,000 will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Related Item Nos. 22-24, 26 and 27)

Ordinance No. 020228-25 was approved.

26. Approve a resolution to declare official intent to reimburse construction costs in the amount of \$1,104,000 to be paid for developer reimbursements for the East 11th Street Redevelopment project. (Funding in the amount of \$578,164.80 for the water project and \$525,835.20 for the wastewater project for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Related Item Nos. 22-25 and 27)

Resolution No. 020228-26 was approved.

27. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with Austin Revitalization Authority, a Texas non-profit corporation, providing terms and conditions for construction of a 12-inch water main, 10 and 8-inch gravity wastewater mains, and appurtenances to provide water and wastewater service within and near the East 11th Street Redevelopment, located between East 11th Street, Juniper Street, I.H. 35 and Navasota Street with City cost reimbursement in an amount not to exceed \$1,104,000, for actual "hard" construction costs, engineering, interest and project management. (Funding in the amount of \$1,104,000 is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility. Based on conservative build-out of the East 11th Street Redevelopment, the 30-Year Financial Analysis of this City investment projects a negative 30-year net present value.) (Related Item Nos. 22-26)

Resolution No. 020228-27 was approved.

28. Approve a resolution authorizing execution of an amendment to the professional services contract with Connie Odé, to increase the amount of professional fees by up to \$40,000 for a total contract amount not to exceed \$82,000, for professional services in *Ethel Spiller, et al. v. Longhorn Partners Pipeline, L.P., et. al.*, Case No. A 98 CA 255 SS, in the United States District Court for Western District of Texas. (Funding in the amount of \$40,000 is available in the 2001-2002 Approved Budget of the Development Services and Watershed Protection and Review Department-Enterprise Fund.)

Resolution No. 020228-28 was approved.

29. C14-01-0072 – Villas of Guadalupe - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2701 and 2717 Guadalupe Street and 2804-2810 Hemphill Park (Waller Creek Watershed) from CS, General Commercial Services district, zoning to MF-6-CO, Multifamily Residence Highest Density-Conditional Overlay Combining district, with conditions on Tract 1 and CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining district, zoning with conditions on Tract 2. First reading January 10, 2002; Vote: 5-2, Alvarez and Griffith nay. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council on first ordinance reading. Applicant: Villas on Guadalupe L.P. Agent: Mike McHone. Staff: Glenn Rhoades.

This item was postponed to March 7, 2002.

30. C14-00-2019- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located at Ferguson Lane at Exchange Drive and Tuscany Way (Walnut Creek Watershed from I-RR, Interim-Rural Residence district, zoning to LI-CO, Limited Industrial Services-Conditional Overlay Combining district, zoning with conditions. First reading on August 3, 2000; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: ABGN (Allan W. Nalle). Agent: Land Answers (Jim Whittliff). City Staff: Annick Beaudet, 974-2975.

Ordinance No. 020228-30 was approved.

31. C14-01-0157- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11900 Metric Boulevard (Walnut Creek Watershed) from GR-CO, Community Commercial-Conditional Overlay Combining district, zoning to CS-1-CO, Commercial-Liquor Sales district, zoning with conditions. First reading on February 14, 2002; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Stone Mesa, LTD. (Shuyuan Liao). Agent: Jim Bennett. City Staff: Annick Beaudet, 974-2975.
Ordinance No. 020228-31 was approved.
32. Approve a resolution authorizing the application for and acceptance of \$41,266 in renewal grant funding from the State of Texas, Governor's Office, Criminal Justice Division to continue the APD Outreach to Immigrant Families program. (Grant funding is available from the State of Texas, Governor's Office, Criminal Justice Division, for the grant period September 1, 2002 to August 31, 2003, and is appropriated in the approved 2001-2002 Special Revenue Budget. This is the third year of a five-year grant. The cash match for this grant is \$16,582. Funding for continued operation is contingent upon grant renewal and/or approval of funding in future budgets.)
Resolution No. 020228-32 was approved.
33. Approve a resolution authorizing an Interlocal agreement between the City and Austin Travis County Mental Health Mental Retardation Center (ATCMHMR) Austin, Texas, for mental health counseling and services in an amount not to exceed \$143,500 for a period of twelve months commencing on February 1, 2002. (Funding is available through a U.S. Health and Human Services Public Health Service Section 330 (e) New Start Grant awarded to the Primary Care Department in September 2001. This amendment has no impact on the Primary Care Department operating Fund. Current operations and scope of work will remain unchanged.)
Resolution No. 020228-33 was approved.
34. Amend Ordinance No. 010910-02 the 2001-2002 Approved Capital Budget of the Public Works Department by appropriating \$232,947 in Developer Participation Fees for street drainage work associated with the St. Elmo Road East Street Reconstruction Project. (Funding is available in Developer Participation Fees.) (Related Item No. 35)
Ordinance No. 020228-34 was approved.
35. Approve a resolution authorizing execution of Change Order #1 to the construction contract with CAPITAL EXCAVATION, INC., Austin, Texas, for additional street improvements along the frontage of South Park Business Center on St. Elmo Road, as part of the St. Elmo Road East Street Reconstruction Project from IH35 to Nuckols Crossing, in an amount not to exceed \$232,947, for a total contract amount not to exceed \$1,767,423.67. (Funding in the amount of \$232,947 is available in the 2001-2002 Amended Capital Budget of the Public Works Department.) Overall MBE/WBE participation, including this Change Order: 0.15% MBE, 49.0% WBE, 50.9% Non MBE/WBE. (Related Item No. 34)
Resolution No. 020228-35 was approved.
36. Approve a resolution authorizing execution of Change Order #5 to the construction contract with TRIPLE H CONTRACTING, INC., Buda, Texas, for additional work on manhole covers, sidewalks, and sanitary sewer revisions as part of the 66" Water Main Relocation project for the expansion of the Austin Convention Center, in the amount of \$15,796 for a total contract amount not to exceed \$2,673,211.20. (Funding in the amount of \$15,796 is available in the 2000-2001 Capital Budget of the Austin Convention Center.) Total subcontractor participation including this Change Order is 2.61% African American, 0.11% Hispanic and 3.24% WBE.
Resolution No. 020228-36 was approved.

37. Approve a resolution authorizing execution of Change Order #3 to the construction contract with BALLOU CONSTRUCTION, INC., Salina, Kansas, for additional preventative maintenance asphaltic slurry seal on selected streets within the Palace Parkway, Riata Vista, Cherry Creek and Oak Creek Park residential areas, in the amount of \$21,529.57, for a total contract amount not to exceed \$613,858.36. (Funding in the amount of \$21,529.57 is available in the Operating Budget of the Department of Public Works.) Overall MBE/WBE participation, including this Change Order 5.19% MBE, 12.34% WBE, 82.47% Non MBE/WBE.
Resolution No. 020228-37 was approved.
38. Approve a resolution authorizing amendment No. 1 to add an additional 12-month extension option to each of the two services agreements with INTERNATIONAL BUSINESS MACHINES (IBM), Austin, Texas, to provide for maintenance of the City's IBM 9672 mainframe computer hardware in an amount not to exceed \$427,488.60 for the hardware maintenance and \$622,090.22 for the software maintenance for a total revised contract amounts not to exceed \$1,703,572.60 and \$2,594,032.55. (Funding in the amount of \$1,049,578.82 is available in the 2001-2002 Operating Budget of the Information Systems Department.) Sole Provider. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-38 was approved.
39. Approve a resolution authorizing execution of a 12-month service agreement with PRO MED MEDICAL CARE CENTERS, Austin, Texas, for the provision of medical surveillance services for the Department of Watershed Protection and Development Review, in an amount not to exceed \$19,000 with two 12-month extension options in an amount not to exceed \$19,000 per extension, for a total contract amount not to exceed \$57,000. (Funding in the amount of \$11,083.31 was included in the 2001-2002 Operating Budget for the Department of Watershed Protection & Development Review. Funding for the remaining five months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid meeting specification of two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-39 was approved.
40. Approve a resolution authorizing execution of a contract with HESCO, INC., Philadelphia, PA, for purchase of 220 power distribution system boxes for the Austin Convention Center in an amount not to exceed \$167,620.20. (Funding was included in the 2000-2001 Approved Capital Budget of the Austin Convention Center Department.) Low Bid meeting specifications/five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-40 was approved.
41. Approve a resolution authorizing execution of a contract with STAGERIGHT CORPORATION, Clare, MI, for purchase of portable staging and risers for the Austin Convention Center in an amount not to exceed \$86,412 and for the new Community Events Center in an amount not to exceed \$93,054 for a total not to exceed amount of \$179,466. (Funding in the amount of \$179,466 was included in the 2000-2001 Approved Capital Budget of the Austin Convention Center Department and the Community Events Center.) Only bidder. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-41 was approved.
42. Approve a resolution authorizing execution of a 12-month supply agreement with MUNICIPAL PIPE & FABRICATING COMPANY, Pflugerville, Texas, to provide cast iron castings and lids

for the Water and Wastewater Utility, in an amount not to exceed \$17,392.50 with two 12-month extension options in an amount not to exceed \$17,392.50 per extension, for a total contract amount not to exceed \$52,177.50. (Funding in the amount of \$11,595 is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining four months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020228-42 was approved.

43. Approve a resolution authorizing execution of a 12-month supply agreement with CASCO INDUSTRIES INC., Pasadena, Texas, for the purchase of Class A Foam for the Austin Fire Department in an amount not to exceed \$22,000 with two 12-month extension options in an amount not to exceed \$22,000 per extension, for a total contract amount not to exceed \$66,000. (Funding in the amount of \$12,833 was included in the Fiscal Year 2001-2002 Operating Budget for the Fire Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid meeting specifications/five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020228-43 was approved.

44. Approve a resolution authorizing execution of a contract with CARROLL CHILDERS, CO., Houston, Texas, to provide the construction and installation of a golf course irrigation pump station for the Parks and Recreation Department for a total contract amount of \$58,425. (Funding is available in the approved 2000-2001 Approved Capital Budget.) Low bid of two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020228-44 was approved.

45. Approve a resolution authorizing execution of a contract with FLOWTRONEX, Dallas, Texas, to provide the construction and installation of a golf course irrigation pump station for the Parks and Recreation Department for a total contract amount of \$63,398. (Funding is available in the approved 2001-2002 Operating Budget for Parks and Recreation Department.) Low bid of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinances as amended. The recommended awardees will provide these services directly to the City. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 020228-45 was approved.

46. Approve a resolution authorizing execution of a 12-month supply agreement with NORTHWEST PIPE CO., Houston, Texas, for the purchase of traffic sign posts for the Transportation, Planning & Sustainability Department, in an amount not to exceed \$28,604, with two 12-month extension options in the amount not to exceed \$28,604 per extension, for a total contract amount not to exceed \$85,812. (Funding in the amount of \$16,686 was included in the 2001-2002 Operating Budget for the Transportation, Planning & Sustainability Department. Funding for the remaining five months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996, MBE/WBE Ordinance, as amended. This is a commodity buy directly from the manufacturer. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 020228-46 was approved.

47. Approve a resolution authorizing execution of a contract with AVO INTERNATIONAL, Dallas, Texas, for the purchase of a relay test system in an amount not to exceed \$50,880. (Funding is available in the 2001-2002 Approved Capital Budget of the Electric Utility Department.) Sole Source. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-47 was approved.
48. Approve a resolution authorizing execution of a 12-month service agreement for the rental of mobile demineralizers for use at power generation plants with US FILTER CORPORATION, Conroe, Texas, in an amount not to exceed \$150,000, with one 12-month extension option in an amount not to exceed \$150,000, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$87,500 is available in the 2001-2002 Amended Operating Budget of the Electric Utility Department. Funding for the remaining five months of the original contract period and the extension option is contingent upon available funding in future budgets.) Sole Bid. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-48 was approved.
49. Approve a resolution authorizing execution of: (1) a contract with FREIGHTLINER OF AUSTIN, Austin, Texas, for the purchase of two heavy duty truck chassis with mounted 55 foot aerial devices and line service bodies for Austin Energy in the amount of \$289,702; (2) a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of one medium duty truck chassis with a mounted 50-foot telescopic aerial device and line service body for Austin Energy in the amount of \$129,964; (3) a contract with TIME MANUFACTURING COMPANY, Waco, Texas, for the purchase of four medium duty truck chassis with mounted 35-foot telescopic/articulating aerial devices and line service bodies for Austin Energy in the amount of \$270,103; and (4) a contract with LONGHORN INT'L TRUCKS LTD, Austin, Texas, for the purchase of three heavy duty truck chassis in the amount of \$163,392. (Funding in the amount of \$853,161 is available in the 2001-2002 Approved Capital Budget of the Electric Utility Department.) Low bidder and low bidder meeting specifications of nine bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-49 was approved.
50. Approve a resolution authorizing execution of a 36-month banking services agreement with JPMORGAN CHASE BANK, Austin, Texas, in an amount not to exceed \$960,293 with one 24-month extension option in an amount not to exceed \$640,195 for a total amount not to exceed \$1,600,488. (This contract will be funded through Investment Pool Income. Funding for the remaining contract extension options is contingent upon available funding in future budgets.) Low bid of three bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020228-50 was approved.
51. Approve an ordinance to amend the Austin City Code, Section 16-4-15 – Speed Limits, by adding Wheatley Avenue from 200 feet west of Providence Avenue to Blessing Avenue, to the list of streets having a maximum speed limit of 20 mph during certain times for students attending J.J. Pickle Elementary School. (Funding in the amount of \$300 for the re-location of signs and markings is available in the 2001-2002 Child Safety Fund for the Transportation, Planning and Design Department.)
Ordinance No. 020228-51 was approved.

52. Approve a resolution authorizing Service Extension Request No. 2140 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .75 acres owned by Martin and Katherine Bevins, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 10901 Yucca Drive. (Recommended by Water and Wastewater Commission)
Resolution No. 020228-52 was approved.
53. Approve a resolution authorizing Service Extension Request No. 2141 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .75 acres owned by Mark and Andrea Adams, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 10811 Yucca Drive. (Recommended by Water and Wastewater Commission)
Resolution No. 020228-53 was approved.
54. Approve an ordinance to amend Ordinance No. 000912-2 (**corrected version 010910-02**), the 2001-2002 Capital Budget by increasing appropriations to the Water and Wastewater Utility Department by \$725,000 and creating a new water project known as "Pioneer Crossing Phase Two" for \$725,000. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 55 and 56)
Ordinance No. 020228-54 was approved.
55. Approve a resolution to declare official intent to reimburse construction costs in the amount of \$725,000 to be paid for developer reimbursements for the Pioneer Crossing Phase Two Water project. (Funding for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 54 and 56)
Resolution No. 020228-55 was approved.
56. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with ART COLLECTION, INC., providing terms and conditions for construction of a 24-inch water main and appurtenances to provide water service to the proposed Pioneer Crossing Phase Two, located east of Dessau Road and north of Walnut Creek, with City cost reimbursement in an amount not to exceed \$725,000, for actual "hard" construction costs. (Funding in the amount of \$725,500 is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility. Based on conservative build-out of Pioneer Crossing Phase Two, the 30-Year Financial Analysis of this City investment projects a positive 30-year net present value. (Recommended by Water and Wastewater Commission) (Related Item Nos. 54 and 55)
Resolution No. 020228-56 was approved.

Items 57 through 59 were pulled for discussion.

60. Amend Ordinance No. 010910-02 the 2001-2002 Capital Budget of the Watershed Protection and Development Review Department by appropriating \$8,540,000 for the Crystalbrook Flood Control Improvement project. (The amount will be funded by the issuance of utility revenue-supported Certificates of Obligation in September, 2002) (Related Item Nos. 61 and 62)
Ordinance No. 020228-60 was approved.
61. Approve a resolution to declare official intent to reimburse \$8,540,000 in costs related to the Watershed Protection Department's Crystalbrook Flood Control Improvement project and amend the two-year GO Bond Sale Schedule. (The amount to be reimbursed from the issuance of utility revenue-supported Certificates of Obligation in September, 2002) (Related Item Nos. 60 and 62)
Resolution No. 020228-61 was approved.

62. Approve a resolution authorizing execution of a construction contract with R.G.M. CONSTRUCTORS, L.P., Pflugerville, Texas, for construction of the Crystalbrook Flood Control Phase I Improvements in the amount of \$6,759,042.41 plus \$210,000 to be used as a contingency fund for change orders, for a total contract amount not-to-exceed \$6,969,042.41. (Funding in the amount of \$6,969,042.41 is available in the 2001-2002 Amended Capital Budget of the Watershed Protection and Development Review Department.) Low bid of seven bids received. 3.94% MBE, 1.93% WBE subcontracting participation. (Related Item Nos. 60 and 61)
Resolution No. 020228-62 was approved.

Items 63 and 64 were pulled for discussion.

65. Approve an ordinance waiving certain fees and requirements under Chapter 15-11 of the City Code for the "Capital 10,000" event to be held on April 7, 2002. (Council Member Will Wynn)
Ordinance No. 020228-65 was approved.
66. Approve an ordinance granting variances from City Code sections 25-7-92, 25-8-341, and 25-8-361 relating to encroachment on a flood plain, cut and fill limitations, and wastewater treatment by land application to Greater Austin First Tee and the Young Men's Christian Association of Austin for the construction and operation of a golf course, sport fields, and related facilities. (Council Member Will Wynn, Council Member Danny Thomas and Council Member Raul Alvarez)
Ordinance No. 020228-66 was approved.
67. Approve an ordinance waiving certain fees and the signature requirement under Chapter 15-11 of the City Code, and authorizing the use of Town Lake as a swim course for the "Capital of Texas Triathlon" event to be held on May 27, 2002. (Council Member Will Wynn)
Ordinance No. 020228-67 was approved.
68. Amend Resolution 011213-87 creating the Austin Music Task Force to add two more members (Council Member Daryl Slusher, Council Member Will Wynn and Mayor Pro-Tem Jackie Goodman).
Resolution No. 020228-68 was approved.
69. Approve an ordinance waiving the zoning application fee associated with the rezoning of the Fairview Park Neighborhood Conservation Combining District, generally located east of South Congress Avenue, south of East Riverside Drive and East Bouldin Creek, west of Alameda Drive/Sunset Lane Eastside Drive (Blunn Creek-Stacey Park), and north of East Monroe Street. (Mayor Pro Tem Jackie Goodman)
This item was removed from the agenda.
70. Approve a resolution supporting the City of Austin's participation in the March 6, 2002 Pfizer Share Card Enrollment Day for low-income seniors. (Mayor Gus Garcia, Council Member Danny Thomas and Council Member Raul Alvarez)
Resolution No. 020228-70 was approved.
71. Amend Resolution Number 011206-52 creating the Sixth Street Recycles Task Force by adding two members to the Task Force, changing the date by which the Task Force recommendations must be delivered to City Council to May 15, 2002, and changing the date on which the Task Force is disbanded to May 15, 2002. (Council Member Daryl Slusher, Council Member Will Wynn, and Mayor Gus Garcia)
Resolution No. 020228-71 was approved.

Z-1 through Z-10 were zoning items.

Items 72 and 73 were zoning items.

Items 74 through 77 were public hearings.

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Thomas was off the dais.

- Z-1. C14-01-0116 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North Lamar at Ferguson Drive (Little Walnut Creek Watershed) from LO, Limited Office district, zoning to CS, General Commercial Services district, zoning. Zoning and Platting Commission recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning with conditions. Applicant: Allan W. Nalle. Agent: Land Answers (Jim Whittliff). City Staff: Annick Beaudet, 974-2975.
Ordinance No. 020228-Z1 was approved as recommended by the Zoning and Platting Commission.
- Z-2. C14-01-0142 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9701-9723 Anderson Mill Road (Bull Creek and Lake Creek Watersheds) from RR, Rural Residence district, zoning and SF-1, Single Family Residence-Large Lot district, zoning to GR, Community Commercial district, zoning. Zoning and Platting Commission Recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district, zoning with conditions. Applicant: Children's Academy, Inc. (Dorothea Louise Barr). Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Sherri Gager, 974-3057
The first reading of this ordinance was approved as recommended by the Zoning and Platting Commission.
- Z-3. C14-01-0171 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the north side of St. Elmo Road East (Williamson Creek Watershed) from SF-3, Family Residence district, zoning and LI, Limited Industrial Service district, zoning to GR-CO, Community Commercial - Conditional Overlay Combining district, zoning with conditions. Zoning and Platting Commission Recommendation: To grant GR-CO, Community Commercial - Conditional Overlay Combining district, zoning with conditions. Applicant and Property Owner: John Chen. Agent: Sarah Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 020228-Z3 was approved as recommended by the Zoning and Platting Commission.
- Z-4. C14-01-0175 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2200 Park Bend Drive (Walnut Creek Watershed) from GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district, zoning to GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district, zoning in order to change a condition of zoning. Zoning and Platting Commission recommendation: To grant GO-MU-CO, General Office-Mixed Use-- Conditional Overlay Combining district, zoning with conditions. Applicant: William Horabin. Agent: William Faust. City Staff: Annick Beaudet, 974-2975.

Ordinance No. 020228-Z4 was approved as recommended by the Zoning and Platting Commission.

- Z-5. C14-01-0176 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 506 East Braker Lane (Little Walnut Creek Watershed) from SF-3, Family Residence district, zoning to LO, Limited Office zoning, district. Zoning and Platting Commission recommendation: To grant NO, Neighborhood Office district, zoning. Applicant: Gil Engineering (Jose M. Gil). Agent: William Faust. City Staff: Annick Beaudet, 974-2975.
The first reading of this ordinance was approved as recommended by the Zoning and Platting Commission.
- Z-6. C14-01-0178 - Austin Scottish Rite - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1710 Colorado Street (Waller Creek Watershed) from CS, General Commercial Services district, zoning to DMU, Downtown Mixed Use district, zoning. Zoning and Platting Commission Recommendation: To approve DMU, Downtown Mixed Use district, zoning. Applicant: Austin Scottish Rite (Jack Hightower). Agent: Armbrust Brown (Richard Suttle, Jr.). City Staff: Glenn Rhoades, 974-2775.
The first reading of this ordinance was approved as recommended by the Zoning and Platting Commission.
- Z-7. C14-83-049 (RCA) - Austin Scottish Rite - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 1710 Colorado Street (Waller Creek Watershed). Zoning and Platting Commission Recommendation: To approve the restrictive covenant amendment. Applicant: Austin Scottish Rite (Jack Hightower). Agent: Armbrust, Brown (Richard Suttle, Jr.). City Staff: Glenn Rhoades, 499-2775.
The restrictive covenant amendment was approved.
- Z-8. C14-01-0179 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7110 South Congress Avenue (South Boggy Creek Watershed) from DR, Development Reserve district, zoning to LO, Limited Office district, zoning. Zoning and Platting Commission Recommendation: To grant LO, Limited Office district, zoning. Applicant and Property Owner: Bethania Worship Center (Pastor David Vasquez). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 020228-Z8 was approved as recommended by the Zoning and Platting Commission.
- Z-9. C14-02-0006 SH – Campbell-Hogue Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5800 Techni Center Drive (Walnut Creek Watershed) from MF-2-CO, Multifamily Residence Low Density district, zoning to MF-2-CO, Multifamily Residence Low Density district, zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To be considered by the Commission on March 12, 2002. Applicant: Fort Branch General Corporation (Terry N. Campbell). Agent: Brown McCarroll, LLP (Nikelle Meade). City Staff: Annick Beaudet, 974-2975.
This item was postponed to April 4, 2002 at staff's request.

- Z-10. C14-02-0008 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1310 San Antonio Street (Shoal Creek Watershed) from GO, General Office district, zoning to GO-MU, General Office-Mixed Use Combining district, zoning. Zoning and Platting Commission Recommendation: To approve GO-MU, General Office-Mixed Use Combining district, zoning. Applicant and Agent: Jimmy Nassour. City Staff: Glenn Rhoades, 974-2775.

Ordinance No. 020228-Z10 was approved as recommended by the Zoning and Platting Commission.

72. Conduct a public hearing and consider for possible action an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the North Loop Neighborhood Plan for the area bounded by Lamar Boulevard on the west, Koenig Lane on the north, Interstate Highway 35 on the east, and 45th Street/ Red River Street/51st Street on the south. [There is no fiscal impact associated with adopting the North Loop Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$890,570 (plus \$10,000 annual maintenance costs). This plan is advisory and does not legally obligate the Council to implement any particular recommendation.]

This item was postponed to April 4, 2002, set for a time certain of 4:00 p.m.

73. C14-02-0009 -- North Loop Neighborhood Plan Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the North Loop Neighborhood Plan area bounded on the west by Lamar Boulevard, on the north by Koenig Lane, on the east by Interstate Highway 35 North, and on the south by 45th Street/ Red River Street/ 51st Street (Waller Creek and Boggy Creek Watersheds). The proposed zoning change will; 1) add a NP, Neighborhood Plan Combining District (NPCD) to each base zoning district in the plan area; 2) permit the secondary apartment, small lot amnesty, and corner store special uses as permitted uses on any lot in the area; 3) permit a neighborhood mixed use building special use for Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9-22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28-35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42-49, 51-58, 59a, 59b, 60, 61, 66-69, 84, and 99; 4) permit neighborhood urban center special use for Tracts 1a, 1b, 1c, 11-22, 24, 25a, and 25b; 5) add a conditional overlay (CO) combining district for 95 tracts, including Tracts 1-5, 7-56, 58-76, 77b, and 80-99; and 6) change the base zoning districts on 100 tracts of land: from: Family Residence (SF-3) district; Multi-Family Residence-Low Density (MF-2) district, Multi-Family Residence-Medium Density (MF-3) district, Limited Office (LO) district, General Office (GO) district, Neighborhood Commercial (LR) district, Community Commercial (GR) district, General Commercial Services (CS) district, Commercial-Liquor Sales (CS-1) district, Commercial Liquor Sales-Conditional Overlay (CS-1-CO) district; to: Family Residence-Neighborhood Plan Combining (SF-3-NP) district, Multifamily Residence-Medium Density-Neighborhood Plan Combining (MF-3-NP) district, Neighborhood Office-Neighborhood Plan Combining (NO-NP) district, Limited Office-Mixed Use-Neighborhood Plan Combining (LO-MU-NP) district, Limited Office-Conditional Overlay-Neighborhood Plan Combining (LO-CO-NP) district, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LO-MU-CO-NP) district, General Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (GO-MU-CO-NP) district, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining (LR-CO-NP) district, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LR-MU-CO-NP) district, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (GR-MU-CO-NP) district, Community Commercial-Conditional Overlay-Neighborhood Plan Combining (GR-CO-NP) district, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining (CS-CO-NP) district, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (CS-MU-CO-NP) district, Commercial Liquor Sales-Conditional Overlay-Neighborhood Plan Combining (CS-1-CO-NP) district, and Public-Neighborhood Plan Combining (P-NP) district. Planning Commission

Recommendation: The Commission will consider this rezoning request on March 13, 2002.. City Staff: Steve Barney, Neighborhood Planning & Zoning Department, 974-6389; Sherri Gager, Neighborhood Planning & Zoning Department, 974-3057. Note: A valid petition has been filed by a property owner in opposition to this rezoning request.

This item was postponed to April 4, 2002, set for a time certain of 4:00 p.m.

DISCUSSION ITEMS

64. Austin Music Task Force

James Polk	appointment	Consensus
Jerry Avila	appointment	Consensus
Natalie Zoe	appointment	Consensus

City of Austin Commission for Women

Pamela Jodi Park	appointment	Mayor
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Library Commission

Vanessa V. Garza	appointment	Wynn
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Mayor's Committee for People with Disabilities

Crowther, Nancy	reappointment	Mayor
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Music Commission

Natalie Zoe	reappointment	Slusher
Luis Francisco Zapata	reappointment	Alvarez

Sixth Street Recycles Task Force

Mike Ridsen	appointment	Consensus
Bob Fernandez	appointment	Consensus
Bob Woody	appointment	Consensus
Franc Winkley	appointment	Consensus
Linda Rife	appointment	Consensus
Vince Bland	appointment	Consensus
Robert Mitchell	appointment	Consensus
Sparky Anderson	appointment	Consensus
Austin Jernigen	appointment	Consensus

Urban Transportation Commission

Veronica L. Hernandez	appointment	Alvarez
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63. Approve a resolution authorizing negotiation and execution of a professional services agreement with the following six firms: RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA, 50%), Austin, Texas; HDR ENGINEERING, INC., Austin, Texas; CRESPO CONSULTING SERVICES, INC. (MBE/MH, 40.10%), Austin, Texas; FREESE AND NICHOLS, INC., Austin, Texas; ESPEY CONSULTANTS, INC., Austin, Texas; and URS CORPORATION, Austin, Texas; to provide general watershed engineering services for a variety of water quality management, flood mitigation and erosion mitigation and related projects for a period of approximately two years, or until financial authorization expended, each agreement in an amount not to exceed \$2,000,000, with a total amount of the six agreements not to exceed \$2,000,000. (Funding in the amount of \$2,000,000 for these services is available in the Capital and/or Operating Budget of the Watershed Protection Department and will be encumbered at the time services are needed.) RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA) 16% MBE, 20% WBE subcontracting participation; HDR ENGINEERING, INC., 9.5% MBE, 19% WBE

subcontracting participation; CRESPO CONSULTING SERVICES, INC. (MBE/MH), 5.7% MBE, 18.2% WBE subcontracting participation; FREESE AND NICHOLS, INC., 14% MBE, 18.2% WBE subcontracting participation; ESPEY CONSULTANTS, INC., 9.7% MBE, 18.2% WBE subcontracting participation; and URS CORPORATION, 14% MBE, 18.2% WBE subcontracting participation.

Resolution No. 020228-63 was approved as amended below on Council Member Griffith's motion, Council Member Alvarez' second on a 7-0 vote. The motion from Mayor Garcia was to approve the resolution as is, and request that Watershed Protection Department work directly with DSMBR to closely monitor and insure that the contracts are issued equally.

57. Approve an ordinance to amend Ordinance No. 000912-2, the 2001-2002 Capital Budget by increasing appropriations to the Water and Wastewater Utility Department by \$287,500 and creating a new water project known as "Parker Springs Condominiums" for \$287,500. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years. (Recommended by Water and Wastewater Commission) (Related Item Nos. 58 and 59)

The motion to postpone this item to March 21, 2002 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

58. Approve a resolution to declare official intent to reimburse construction costs in the amount of \$287,500 to be paid for developer reimbursements for the Parker Springs Condominiums Water project. (Funding for the Water and Wastewater Utility to be funded by the issuance of commercial paper. (Recommended by Water and Wastewater Commission) (Related Item Nos. 57 and 59)

The motion to postpone this item to March 21, 2002 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

59. Adopt a resolution and an ordinance authorizing negotiation and execution of a cost participation/reimbursement agreement with King Fisher Creek Ltd., providing terms and conditions for construction of a 16-inch water main, pressure reducing valve assembly and appurtenances to provide water service to the proposed Parker Springs Condominiums, located at 4601 East St. Elmo Road, with City cost participation and reimbursement in an amount not to exceed \$287,500, for actual "hard" construction costs; adopt an Ordinance waiving the requirements of Section 25-9-61, City Code, relating to facilities eligible for cost reimbursement; waiving the requirements of Section 25-9-62, City Code, relating to the amount of cost participation; waiving the requirements of Section 25-9-67, City Code, relating to cost participation and cost reimbursement payments, and waiving 89.98% of the construction inspection fees for the 16-inch water main, pressure reducing valve assembly and appurtenances in an amount not to exceed \$18,000. (Funding in the amount of \$287,500 is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility, Based on conservative build-out of Parker Springs Condominiums, the 30-Year Financial Analysis of this City investment projects a negative 30-year net present value.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 57 and 58)

The motion to postpone this item to March 21, 2002 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

Mayor Garcia recessed the meeting at 5:47 p.m. to go into Live Music and Proclamations and after which to go directly into Executive Session.

EXECUTIVE SESSION

Item #20 was taken during this Executive Session.

Executive Session ended at 7:15 p.m. and Mayor Garcia called the meeting back to order.

DISCUSSION ITEMS CONTINUED

20. Approve a resolution to declare official intent to reimburse \$14,600,000 in costs related to the Convention Center Department's Convention Center Parking Garage.
Resolution No. 020228-20 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

74. Conduct a public hearing for the full purpose annexation of the following annexation areas:
Woods of Century Park (Approximately 51 acres located in Travis County approximately four tenths of a mile east of the intersection of Burnet Rd and Century Park Blvd).
Brandt's Crossing (Approximately 135 acres located in south central Travis County on the northwest corner of the intersection of Brandt Rd and E Slaughter Ln).
Decker Lake Rd (Approximately 5 acres located in Travis County along Decker Lake Rd east of Blue Bluff Rd). (No action will be taken.)
The public hearing for Woods of Century Park was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The public hearing for Brandt Crossing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

The public hearing for Decker Lake Rd. was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

75. Conduct a public hearing and consider an ordinance for possible action a request for a variance from the Land Development Code to allow encroachment of a building at 12103 and 12201 Tanglewild Drive in the 100-year floodplain of Walnut Creek, and to waive the requirement to dedicate a drainage easement to the limits of the 100-year floodplain.
The public hearing was closed on Council Member Griffith's motion, Mayor Garcia's second by a 7-0 vote.

Ordinance No. 020228-75 was approved, adopting staff recommendation, on Council Member Wynn's motion, Mayor Garcia's second by a 7-0 vote.

76. Conduct a public hearing and consider for possible action an ordinance a request for a variance from the Land Development Code to allow construction of an additional room and an attached carport to the single-family residence at 1122 Eleanor Avenue (aka 1122 Eleanor Street) in the 25-year and 100-year floodplains of Fort Branch and to waive dedication of the 100-year floodplain as drainage easement.
The public hearing was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

Ordinance No. 020228-76 was approved, granting the variance with conditions, to be finalized with staff allowing the carport to be built. Those conditions are that the City of Austin will not require the 100-year floodplain to be dedicated to its drainage easement; that the addition of the storage unit not be allowed; and that the carport be allowed on the condition that the applicant demonstrate it can withstand the forces of floods, on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

77. Conduct a public hearing and consider for possible action amending ordinance amending Chapter 8-3 of the City Code relating to the sale of alcoholic beverages near private schools.

The public hearing was closed on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.

The motion to postpone action on this item indefinitely was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

15. Consideration and possible action regarding a charter amendment to be placed on the May 4, 2002, ballot, to change the terms and the method of election of the City Council from election at large to a method including the election of members from geographical districts, or to a method combining at-large and district elections.
The motion to postpone this item to March 7, 2002 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

16. Consideration and possible action regarding the Charter Revision Committee Report to City Council concerning charter amendments to be placed on the May 4, 2002, ballot, including:

Items considered and recommended:

- A. Repeal of term limits for Mayor and Council. (Article 2, Section 3)
- B. Lowering the percentage of qualified voter signatures required on a petition to initiate an ordinance. (Article 4, Section 1)
- C. Repeal of the Charter section regarding campaign contributions and expenditures. (Article 3, Section 8)
- D. The Committee recommendation that the City Council does not place an alternative to the citizen initiated "Austin Fair Elections Act" on the May 4, 2002 ballot.
- E. Increasing the City Manager's administrative purchase authority and clarifying that the City Manager's administrative purchase authority with respect to any one contract applies to each year of the contract rather than the entire life of the contract. (Article 7, Section 15)
- F. City Council appointment of a police monitor and a police oversight board.
- G. A Charter amendment providing that the city shall not maintain a confidential personnel file for a police officer.

Items considered and not recommended:

- A. Repeal of the Charter provision requiring newly elected city officers publish a campaign expense statement in an Austin newspaper. (Article 3, Section 7)
- B. Creation of an independent electric utility governing board appointed by City Council.
- C. City Council appointment of Austin Energy's general manager.
- D. City Auditor authority to hire specialists.
- E. City Council appointment of a consumer advocate.
- F. City Council appointment of the City Attorney.

The motion to postpone this item to March 7, 2002 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

17. Consideration and possible action regarding other items to be placed on the May 4, 2002, ballot, including:
- A. A resign-to-run provision for municipal court judges and employees hired by the Council.
The motion to postpone this item to March 7, 2002 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

The motion to adjourn the meeting at 8:15 p.m. was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 7-0 vote.

The minutes from the regular meeting of February 7, 2002, from the Work Session of February 27, 2002 and the regular meeting of February 28, 2002 were approved on Council Member Wynn's motion, Mayor Garcia's second by a 7-0 vote